

August 2020



CLINKS
RESPONSE

The Public Services Committee inquiry on lessons from coronavirus

About Clinks

1. Clinks is the national infrastructure organisation supporting voluntary sector organisations working in the criminal justice system (CJS). Our aim is to ensure the sector and those with whom it works are informed and engaged in order to transform the lives of people in the CJS and their communities. We do this by providing specialist information and support, with a particular focus on smaller voluntary sector organisations, to inform them about changes in policy and commissioning, to help them build effective partnerships and provide innovative services that respond directly to the needs of their users.
2. We are a membership organisation with over 500 members, including the voluntary sector's largest providers as well as its smallest. Our wider national network reaches 4,000 voluntary sector contacts. Overall, through our weekly e-bulletin Light Lunch and our social media activity, we have a network of over 13,000 contacts. These include individuals and agencies with an interest in the CJS and the role of the voluntary sector in rehabilitation and resettlement.
3. Clinks manages the National Criminal Justice Arts Alliance (NCJAA), a national network of over 800 artists, arts organisations and criminal justice practitioners using creative approaches to reduce reoffending. We also support a network of women's centres and specialist women's services working in the CJS.

About this response

4. We welcome the opportunity to respond to this inquiry. Our response focuses on the impact of Covid-19 on the CJS and the voluntary sector that works alongside criminal justice public services to support people in contact with the CJS and their families.
5. Clinks has taken several measures to respond to Covid-19:
 - a. **Covid-19 inbox** We have a designated Covid-19 mailbox for voluntary organisations working in the CJS who have concerns or questions regarding how the justice system's response to Covid-19 will affect their operations or the information they should provide to service users. Clinks has a dedicated line of communication with Her Majesty's Prison and Probation Service (HMPPS) to discuss the issues being raised and develop solutions.

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Supporting the voluntary sector
working in the criminal justice system

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- b. The RR3 Special Interest Group** In response to Covid-19, the Reducing Reoffending Third Sector Advisory Group (RR3)¹ - an advisory group to the Ministry of Justice chaired and coordinated by Clinks - has set up a special interest group (SIG) to support more effective working between the voluntary sector and government. The aim of the SIG is to mitigate the impact of Covid-19 on services and ensure the safety of people in contact with the CJS. The SIG meets regularly to discuss key issues and agree recommendations for senior officials at the Ministry of Justice (MoJ) and HMPPS.
- c. A bi-weekly survey** We have run four surveys so far to track the impact that the pandemic is having on the staff, volunteers, service delivery and finances of voluntary organisations working in criminal justice.²
- 6.** The information in this response draws on the intelligence gathered through these channels and engagement with our members through regular network meetings. We would be pleased to provide the committee with additional information in the coming months as the impact of Covid-19 on criminal justice and the voluntary sector develops.

Summary of recommendations

- To involve voluntary sector providers in readiness assessments for easing lockdown in the CJS and to provide sufficient notice for voluntary organisations to remobilise services. For those delivering under grant or contract, reasonable adjustments should be made to contract/grant lengths and targets to enable organisations to meet outcomes.
- To utilise the voluntary sector as a key delivery partner in criminal justice, to support recovery from the pandemic and meet the increased needs of those in contact with the CJS, statutory partners across the CJS adopt learning from the *Good Prison Project* and apply its approach to joint working.
- That the government seek to establish further funding to support voluntary sector organisations to weather this crisis as well as funding to stabilise the voluntary sector and support its long-term sustainability. We recommend that in establishing further funds, a specific grant programme is made available to voluntary organisations working in the CJS who are often excluded from opportunities available to the wider voluntary sector.
- The Ministry of Justice should develop and lead a cross-departmental accommodation strategy that; promotes, recognises and facilitates good practice both at a local and national level; facilitates join up across relevant governments and departments; and ensures accountability for the accommodation outcomes of people in contact with the CJS.
- Commissioners at the national and local level - including but not limited to Ministry of Justice Contracts and Commercial Directorate - should engage with the voluntary sector at the earliest opportunity to understand the costs associated with delivering good practice to meet the needs identified. An alternative needs-led model could allocate funds based on identified need rather than price per head and ensure the full contract values are paid.
- To support engagement of the voluntary sector and to enable it to play its full role in the delivery of services in the aftermath of the pandemic, sustainable grant funding is essential. Government should engage with the voluntary sector and charity law experts to establish a process for deciding when grants and contracts are most appropriate mechanism for commissioning.

- MoJ and HMPPS should identify and map good practice that has been established by local services during Covid-19, to build upon this and ensure joined up responses for service users in criminal justice, particularly people facing multiple disadvantage. This should include engagement with Regional Probation Directors to ensure they facilitate join-up between local statutory and voluntary services, including through joint commissioning, to ensure that people in contact with the CJS do not fall through the gaps in services at a time of greater demand.
- The government must ensure that recovery planning for the CJS involves a properly resourced cross-departmental approach, to ensure service users' needs are met in a holistic way. MoJ and HMPPS must work closely with Department of Work and Pensions, Ministry of Housing, Communities and Local Government, the Department of Health and Social Care, the Department for Education and HM Treasury – to ensure a joined-up response that meets the needs of some of the most vulnerable in society.
- HMPPS should publish statistics on infections and deaths related to Covid-19 broken down by ethnicity.
- That the recovery planning process for public services – and in particular criminal justice institutions - should give relevant consideration and recognition to the disproportionate impact of Covid-19 on people from BAME backgrounds. In the case of criminal justice agencies, this should include consideration of the disparity in treatment and outcomes of BAME people in the CJS. BAME-led organisations should be engaged for their expertise in developing this process and to improve transparency all plans and equality considerations should be published.
- In the recovery from the pandemic, funding should prioritise specialist services for protected groups and in recognition of the disproportionate impact of the CJS and Covid-19 on BAME communities and the organisations that work to support them, a particular focus should be on ensuring funding streams for BAME-led services.

The role of the voluntary sector working in criminal justice

7. The voluntary sector in criminal justice is key to the government's response to Covid-19 and ensuring the CJS's management of, and recovery from, the pandemic. Over 1,700 voluntary organisations work in the CJS, playing a unique and valuable role in supporting and advocating on behalf of some of the most excluded communities, including those facing multiple disadvantage, whose needs mainstream services often fail to meet. Our state of the sector research shows that voluntary organisations work at all stages of the CJS, inside and out of prisons, with some doing both, ensuring continuity of support through the prison gate and reducing reoffending.³
8. The voluntary sector has worked with and alongside the CJS for over 300 years. Its role is, on the whole, not to deliver the sentence of the court but to work alongside statutory services to provide support that enables individuals to complete that sentence. A significant proportion of voluntary sector organisations working in criminal justice are engaged to undertake this activity through public service commissioning. Government makes up the largest source of funding for the criminal justice voluntary sector but there has over also been a recent overall decrease in government funding with a particularly sharp decrease in funding from central government. Concurrently there has also been a change in the nature of this funding with an increasing shift from grants towards competitively tendered-

for contracts to deliver services. The majority of criminal justice specialist organisations with an income over £500k received government funding in the form of contracts.⁴

9. However, contracts for organisations working in criminal justice have been historically underfunded, undermining the sector's ability to weather the Covid-19 crisis. For the past three consecutive years it has been reported that voluntary sector organisations in criminal justice have been unable to achieve full-cost recovery on the contracts they are delivering, with the majority are having to subsidise the shortfall using other sources of funding (63%) or the organisation's reserves (61%).⁵ The accumulated impact of this over a number of years means that many organisations now have very limited reserves.

Adapting to Covid-19

10. The pandemic has shown the strength and resilience of the voluntary sector in criminal justice. Organisations are responding flexibly to restrictions created by Covid-19 and most are able to continue delivering their services remotely to at least some extent, utilising telephone and video conferencing to keep in contact with those they support (51%), running advice lines (38%) and providing virtual group sessions (28%) among other innovative adaptations.
11. Despite the sector's flexible response however, we are still seeing an overall reduction in voluntary sector services within criminal justice. The majority (61%) of organisations reported that they have had to decrease their service provision and are reaching fewer people. Particularly for organisations that deliver in prisons, there are acute challenges reaching service users and adapting services intended to be highly interactive into in-cell activity. The ability to get materials to people in prison has been inconsistent and reliant on pre-established relationships with prison staff.
12. Many are also operating with significantly reduced capacity, with 44% reporting that their number of volunteers – who provide vital support with service delivery and administrative activities - has decreased since the Covid-19 pandemic. In many cases organisations have not been able to support the numbers of people they would like; 61% from our latest survey said that the number of people they are able to support during the pandemic has decreased.
13. These challenges in service delivery are happening at a time when the criminal justice voluntary sector's services have never been more needed. The majority of organisations in our latest survey (59%) agree or strongly agree that the needs of the people they support have become greater during the Covid-19 pandemic. Specifically, there is concern about the mental health of those isolated, the impact of the lockdown on families of people in contact with the CJS and the exacerbated effects of poverty and disadvantage in the pandemic.
14. Added to the challenges of remote delivery are growing safeguarding concerns about face-to-face delivery. 18% of organisations have reported continuing to deliver some services face-to-face. As well as incurring additional costs for personal protective equipment (PPE), the RR3 SIG has raised concern that voluntary organisations supporting people on release are not being adequately provided with relevant risk information regarding the potential contact of individuals with Covid-19 whilst in custody. We have recommended to HMPPS that this information be shared with relevant voluntary organisations. Concerns around safe delivery will only grow and become more for prisons and probation to address as restrictions are eased and more services remobilise.

Communication and engagement with the voluntary sector

- 15.** This crisis has reinforced the need for clear communication from statutory partners to enable voluntary organisations to provide timely and effective support. Clinks has worked from the beginning of this crisis to encourage communication and information flow from MoJ, HMPPS and probation providers and we now have established channels through which to do this. However, slow and inconsistent information in the early stages created significant barriers for organisations trying to support people in contact with the CJS and fill gaps in provision as they were left unaware of key operational information, including gaps in provision.
- 16.** Going forward as attention begins to turn towards recovery and creating a 'new normal', communication with the voluntary sector will only become more vital. HMPPS has published its framework for easing lockdown in prisons⁶ and a roadmap to recovery for probation⁷. Many of the fundamental changes that will take place within the prison regime and probation services as they move through recovery phases will be dependent on voluntary sector organisations remobilising their services. Voluntary organisations should therefore be engaged in both the decision-making for easing restrictions and the implementation of changes to enable sufficient time to have services in place.
- 17.** In the future, a coordination model, like that trialled by Clinks' *The good prison*⁸ project, for front line service delivery would support aims for a more resilient and joined up system, maximising resource both in the statutory and voluntary sectors and ensuring the best possible outcomes for service users. Evaluation showed the model to have improved joined-up working; the information about, and access to, services; partners' knowledge of processes and procedures and identified duplication and gaps in provision.

Recommendation: To involve voluntary sector providers in readiness assessments for easing lockdown in the CJS and to provide sufficient notice for voluntary organisations to remobilise services. For those delivering under grant or contract, reasonable adjustments should be made to contract/grant lengths and targets to enable organisations to meet outcomes.

Recommendation: To utilise the voluntary sector as a key delivery partner in criminal justice, to support recovery from the pandemic and meet the increased needs of those in contact with the CJS, statutory partners across the CJS should adopt learning from the *Good Prison Project* and apply its approach to joint working.

Sustainability of the voluntary sector

- 18.** Our ongoing research on the impact of Covid-19 has highlighted how the sustainability of the voluntary sector working in criminal justice is at risk with Covid-19 disrupting organisations' delivery models, impacting income generation and in many cases increasing expenditure. This has left many organisations facing uncertainty, having to use their already very limited reserves⁹ to sustain themselves amidst growing concerns that on the near horizon is a recession and further funding cuts.



- 19.** We welcome that HMPPS and MoJ have made available £300,000 grant funding to support the voluntary sector working in criminal justice in its response to Covid-19 and are pleased to be able to distribute £275,000 of this on their behalf.¹⁰ This grant programme is an important part of the support the sector needs to continue providing its services now and in the future. However, the criteria for these grants and the total amount available means that not everyone in our sector who requires financial support will be able to benefit.
- 20.** We are extremely disappointed that MoJ was not successful in their bid for funds to support the voluntary sector working with people in the CJS from the £360m available from the Department of Culture Media and Sport as part of the government's £750m emergency package for charities. Our sector provides vital support to some of the most vulnerable in society and it is frustrating and disheartening not to see this work and the needs of the sector's beneficiaries recognised more widely across the government.
- 21.** For voluntary sector organisations in criminal justice delivering under grants or contracts, in general we have found that grant and contract managers have communicated well and been flexible in adapting requirements. In some cases organisations have been offered relief for contracts. Funders have also been redirecting funds for emergency funding and front-line services responding to Covid-19 and the government have made available various support mechanisms including the coronavirus job retention scheme, loans and business rate exemptions (though we have found that eligibility criteria was a large barrier preventing organisations in our sector from accessing the financial support schemes available from the government, with 39% saying they are ineligible).
- 22.** While this support is positive in the short term, there is concern that we are heading for a cliff edge of support in the future, and that the long term implications of this emergency support will lead to further cuts to statutory services in the future and less funding available for voluntary sector services. To support recovery from the pandemic and to meet the heightened and unmet needs of those in contact with the CJS - which have been exacerbated by this crisis - prisons, probation and the voluntary sector working in criminal justice need additional funding.
- 23.** For organisations to be able to remobilise and respond to the greater levels of need following this crisis, the voluntary sector in criminal justice needs urgent financial support as well as funding dedicated to stabilisation and ensuring the long-term financial health and organisational diversity of the sector.

Recommendation: That the government seek to establish further funding to support voluntary sector organisations to weather this crisis as well as funding to stabilise the voluntary sector and support its long-term sustainability. We recommend that in establishing further funds, a specific grant programme is made available to voluntary organisations working in the CJS who are often excluded from opportunities available to the wider voluntary sector.

Public service success and failure during the Covid-19 outbreak

The criminal justice response to Covid-19

- 24.** People in contact with the CJS can often have higher health and social care needs and face multiple disadvantage. In prisons in particular there is an ageing population and a high proportion of people vulnerable to Covid-19. The health needs of the prison population combined with the overcrowding and poor conditions in the prison estate and the close proximity that people must live in (including having to share cells), means that any outbreak of Covid-19 could have a devastating and fatal impact.
- 25.** In recognition of this, HMPPS announced that both prisons and probation services were moving into exceptional delivery models. In probation face-to-face contact has been significantly scaled back and most contact is now virtual or through doorstep visits. In prisons all movement has been severely restricted, with people locked in their cells for 23 hours a day. All physical visits have been cancelled, including education, training and non-essential employment activities.
- 26.** In addition to implementing a highly restricted prison regime, the government had previously assessed that up to 4,000 people - as well as pregnant women and mothers with children in prison - were potentially eligible for End of Custody Temporary Release (ECTR) as part of its plan to safeguard people in prison from Covid-19 and create more space in the prison estate. This was a significantly lower figure than the 15,000 people Public Health England had originally recommended be released from prison in response to Covid-19. The voluntary sector working in criminal justice have been highly concerned about the lack of progress in releasing pregnant women, women with young children and others potentially eligible under the ECTR scheme with the numbers released falling well below the 4,000.
- 27.** Alongside the ECTR scheme, the government focused attention on temporary prison accommodation and a 'compartmentalisation' strategy. This strategy involves isolating prisoners suspected to have Covid-19, shielding the most vulnerable and holding people who enter prisons for the first time in separate units for a period of 14 days to detect possible cases of Covid-19 (referred to as reverse cohorting).
- 28.** We are pleased to see that there hasn't been any 'explosive outbreaks' in prisons, however we have growing concern about the sustainability of this approach, which hasn't utilised the ECTR scheme to its full potential. As court activity begins to increase more people will enter prisons, making reverse cohorting more difficult to manage and increasing the prison population again.
- 29.** Added to this will be challenges managing the expectations of people in prison and the perceived legitimacy of the lockdown. So far people in prison have understood the need for the restrictions and have been very co-operative. However a recent inspection report based on short visits to prisons in May indicated that "some prisoners were becoming frustrated about perceived differences between restrictions in prisons and the community, as community restrictions were beginning to be lifted."¹¹ This is likely to become a growing issue, as restrictions in prisons will be eased at a significantly slower pace than wider society.

Supporting people facing multiple disadvantage

- 30.** As the Making Every Adult Matter (MEAM) coalition¹² response highlights, during this crisis in many cases services came together quickly to protect individuals experiencing multiple disadvantage and other vulnerable groups in the community. Rapid evidence gathering¹³ by MEAM found a greater sense of community and shared purpose across agencies during this time, and highlights a number of examples of local innovation and greater flexibility in public services. This has improved joint working in many areas and access to accommodation, substance misuse services and welfare support during the crisis.
- 31.** Areas that have previously adopted the MEAM approach¹⁴ - a non-prescriptive framework to help local areas design and deliver better coordinated services - report that this framework was key to informing their local response to Covid-19. Examples of this include every client in emergency accommodation being assigned a key worker, and services using a trauma-informed approach in their provision of support to clients in emergency accommodation. The MEAM approach was found to be particularly useful to have in place during this crisis because:
- a. Existing relationships** There were existing relationships between services as a result of multiagency work under the MEAM Approach. For example, in one area a MEAM Approach partner was able to quickly secure a building for emergency accommodation from another agency in the local partnership.
 - b. Experienced staff** Workers were already experienced in coordinating responses across services.
 - c. Wrap around support** A focus on issues beyond homelessness led to better support for those individuals housed in the emergency accommodation.
- 32.** However the response from the CJS paints a more mixed picture, reflecting longstanding challenges to developing an integrated, whole-systems approach for supporting people in the CJS. Whilst there have been examples of strong collaboration at the local level, feedback from voluntary organisations has highlighted the inconsistency of this across different areas.

Accommodation and justice

- 33.** Housing services and criminal justice in particular have a legacy of working in siloes that has been challenging to overcome in a crisis context. No one organisation or department is solely responsible for the accommodation needs of people in contact with the CJS and failure to ensure a cross-departmental, whole-systems approach that provides join up between organisations both on a local and national level has left people in the CJS falling through the gaps of responsibility and accountability prior to and during the pandemic.
- 34.** The accommodation outcomes for prison leavers during this crisis shines a spotlight on the challenges between criminal justice and housing services. Despite the government's 'Everyone In' policy, recently released figures show that 840 men, 89 women and 85 young adults aged 18 to 24 were released from prison into rough sleeping or other forms of homelessness between 23 March - when the lockdown was imposed - and 30 April. A further 1,209 men, women and young adults were released with unknown circumstances for accommodation in the same period.¹⁵ We welcome the concerted efforts by HMPPS to ensure accommodation on release for those eligible for ECTR (though limited in number) but this same commitment needs to be applied for people released during the pandemic as part of the course of their sentence.

Recommendation: The Ministry of Justice should develop and lead a cross-departmental accommodation strategy that; promotes, recognises and facilitates good practice both at a local and national level; facilitates join up across relevant governments and departments; and ensures accountability for the accommodation outcomes of people in contact with the CJS.

Resource, efficiency and workforce

Underfunding in criminal justice

- 35.** The CJS has been underfunded for many years, leading to an understaffed and under-resourced prison system struggling under an increasing population. In addition, reforms to the probation system under Transforming Rehabilitation have damaged relationships between local partners and made communication and joint working more challenging to achieve.
- 36.** Clinks' annual State of the sector research¹⁶ highlighted that prior to the pandemic, the criminal justice voluntary sector was already struggling for resource in a complex, competitive and changing commissioning environment. As highlighted earlier, government funding has shifted towards contracts with very little long-term grant funding available that covers core costs. These government contracts - which the criminal justice voluntary sector relies on - have a legacy of underfunding leaving organisations to heavily subsidise them. Alongside these resourcing challenges, organisations were simultaneously trying to manage increasing caseloads and more complex and urgent needs of services users.

Recommendation: Commissioners at the national and local level - including but not limited to Ministry of Justice Contracts and Commercial Directorate - should engage with the voluntary sector at the earliest opportunity to understand the costs associated with delivering good practice to meet the needs identified. An alternative needs-led model could allocate funds based on identified need rather than price per head and ensure the full contract values are paid.

- 37.** The commitments to 'Grants 2.0' set out in the civil society strategy¹⁷ have not been reflected in criminal justice commissioning practice. There is an opportunity going forward to better utilise grants in commissioning services to support future prison and probation systems, reducing the bureaucracy and complexity of the commissioning process and ensuring a more light touch approach that would enable greater involvement of the voluntary sector - especially for smaller organisations - as they recover from this crisis. In doing this it is necessary for government to have a thorough understanding of the difference between grants and contracts and in particular under which circumstance each is most appropriate.

Recommendation: To support engagement of the voluntary sector and to enable it to play its full role in the delivery of services in the aftermath of the pandemic, sustainable grant funding is essential. Government should engage with the voluntary sector and charity law experts to establish a process for deciding when grants and contracts are most appropriate mechanism for commissioning.

- 38.** The silo approach in criminal justice service delivery is reflected in commissioning of services with limited co-commissioning opportunities. The voluntary sector working in criminal justice provide a diverse range of services to some of the most vulnerable in society that achieve a range of outcomes that apply across government. However, as our previous research has shown a volume-based and narrow target driven culture created by the current commissioning approach has increased competition and eroded partnerships and decreased collaboration between local services, with many local services withdrawing from the sector believing probation should be investing or funding the services they previously supported.¹⁸ With a likely increase in demand for social support of all kinds and with budgets likely to become even more constrained, joined up commissioning and a wide recognition – beyond HMPPS and MoJ – of the value of the criminal justice voluntary sector will be more important than ever.

Recommendation: MoJ and HMPPS should identify and map good practice that has been established by local services during Covid-19, to build upon this and ensure joined up responses for service users in criminal justice, particularly people facing multiple disadvantage. This should include engagement with Regional Probation Directors to ensure they facilitate join-up between local statutory and voluntary services, including through joint commissioning, to ensure that people in contact with the CJS do not fall through the gaps in services at a time of greater demand.

Housing and austerity

- 39.** For the past three years we have found in our research that the needs of the people voluntary organisations in criminal justice support have been growing more urgent and more complex.¹⁹ This is driven by increasingly challenging circumstances in prison; people being released with insufficient resettlement support; austerity measures and welfare reforms continuing to push people into poverty; and a severe housing crisis.²⁰ These issues have exacerbated the impact of the pandemic on people in the CJS, those experiencing multiple disadvantage and other vulnerable communities. In creating ‘a new normal’ these longstanding and systemic issues need addressing so that people’s basic needs can be met.
- 40.** In particular there is a longstanding lack of safe, secure and appropriate accommodation for people in contact with the CJS. Despite initial progress sourcing emergency accommodation in the context of Covid-19 – in most areas, emergency accommodation was sourced and block booked by local authorities - there are serious concerns about capacity to continue providing emergency accommodation beyond the immediate short term because of the growing challenge with securing long-term ‘move on’ accommodation that will create a backlog. The voluntary sector are raising concern that rough sleepers given emergency accommodation during the height of the pandemic will be returned to rough sleeping once the crisis begins to ease.
- 41.** We welcome the government’s earlier commitment – prior to Covid-19 – to ending rough sleeping.²¹ Rough sleeping however is only the tip of the iceberg of homelessness and accommodation issues. There needs to be a strategy – with an appropriate level of resource attached - for securing long-term, stable accommodation that people can move on to.

Recommendation: The government must ensure that recovery planning for the CJS involves a properly resourced cross-departmental approach, to ensure service users’ needs are met in a holistic way. MoJ and HMPPS must work closely with Department of Work

and Pensions, Ministry of Housing, Communities and Local Government, the Department of Health and Social Care, the Department for Education and HM Treasury – to ensure a joined-up response that meets the needs of some of the most vulnerable in society.

Inequalities

The impact on people in prison from black, Asian and minority ethnic (BAME) communities

- 42.** People from BAME communities are disproportionately represented throughout the CJS. Over a quarter (27%) of the prison population - 22,619 people - are from a minority ethnic group despite making up just 14% of the general population.²² Black individuals in particular are the most over-represented. The Lammy Review highlighted a wide range of disparities in the treatment of, and outcomes for BAME individuals in the CJS, including health inequalities.
- 43.** Emerging evidence also shows a disproportionate impact of Covid-19 on minority ethnic communities in the UK and globally, with black people in particular 4.2 times more likely to die from Covid-19. However despite the heightened risk for BAME communities combined with the high-risk environment of prisons, we still do not have the data on how BAME people in prison have been affected by the virus. In the months since lockdown was introduced in prisons, almost 500 prisoners and over 900 staff having tested positive for Covid-19, but the ethnicity breakdown of these figures has not been published. This reflects longstanding issues, highlighted by the Lammy Review, around a lack of consistently collected and published data relating to ethnicity in the CJS.

Recommendation: HMPPS should publish statistics on infections and deaths related to Covid-19 broken down by ethnicity.

- 44.** It is disappointing that the disproportionate impact of Covid-19 on BAME people is not mentioned in either the *National Framework for Prison Regimes and Services* or the *Probation Roadmap to Recovery* and that there appears to be no Equality Impact Assessment of either document. This reinforces concern that safeguarding of BAME individuals – both service users in the CJS and staff – is not being sufficiently prioritised. It may not yet be clear why the danger of contracting Covid-19 and subsequent mortality rates are higher for BAME people, nevertheless it is clear that a bespoke health and wellbeing offer should be developed and rolled out for BAME staff and service users. This health and wellbeing offer needs to be modified in line with ongoing reviews into the impact of coronavirus on BAME communities.
- 45.** Voluntary sector services led by and for people from BAME communities are vital for ensuring people from BAME backgrounds in the CJS have access to specialist support that understands and can better respond to the needs, experiences, and barriers faced by BAME people. The BAME-led sector are best-placed to offer bespoke and tailored wellbeing support throughout and beyond the crisis with many organisations now able to deliver their services to BAME prisoners and staff remotely.
- 46.** Engagement with the BAME-led voluntary sector is therefore paramount. However the BAME-led sector have found communication with statutory services at a local and national level to be challenging during this crisis, leaving them feeling extremely isolated and creating additional barriers for them in co-ordinating support for their service users.

47. Added to this are growing concerns about the sustainability of BAME led organisations, which are typically smaller, locally led organisations that face being squeezed out by larger mainstream services. BAME-led organisations have reported during this crisis feeling excluded from emergency funding and cut off from other government support during this time. It is vital to ensure the sustainability of the BAME-led sector in order to respond to the acute impact of Covid-19 on BAME communities and support recovery from this crisis.

Recommendation: That the recovery planning process for public services – and in particular criminal justice institutions - should give relevant consideration and recognition to the disproportionate impact of Covid-19 on people from BAME backgrounds. In the case of criminal justice agencies, this should include consideration of the disparity in treatment and outcomes of BAME people in the CJS. BAME-led organisations should be engaged for their expertise in developing this process and to improve transparency all plans and equality considerations should be published.

Recommendation: In the recovery from the pandemic, funding should prioritise specialist services for protected groups and in recognition of the disproportionate impact of the CJS and Covid-19 on BAME communities and the organisations that work to support them, a particular focus should be on ensuring funding streams for BAME-led services.

Technology, data and innovation

Building on 'forced innovation'

48. The challenges facing voluntary organisations working in criminal justice, as well as the flexibility and creativity demonstrated by organisations at this time, will have an impact in the future, encouraging more innovative ways of working and a variety of creative solutions for remote working that could enable greater reach of services.
49. There have been some welcome steps from HMPPS to support this through the provision of technology in prisons and probation. We particularly welcome HMPPS and the National Probation Service committing to learning from the enforced innovation of dealing with the pandemic in creating a "new normal" and a more resilient probation service in the future. The agencies have commissioned research into staff and service user experiences of more remote offender management during the lockdown period, particularly focusing on the experiences of people with protected characteristics. This we hope will build a more flexible approach to supervision that reflects the needs and circumstances of the individual, preventing counter-productive and overly onerous requirements and enabling a more person-centred model.
50. We also welcome the rollout of virtual visits to prisons to facilitate family contact with prisoners during lockdown. This has long been recommended, including by the Farmer Review into maintaining family ties for those in prison, and will be an important mechanism for supporting family contact even as lockdown eases with so many people in prison held long distances from their homes. However it is vital that virtual visits are used alongside, and not in replacement of, face-to-face visits when these become a possibility again.



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- 51.** More can be done to build on this progress, support further innovation and utilise technology in the future. For example, wider use of virtual visits in prisons to access services, mobile phones in cells that can receive calls from secure numbers to enable voluntary services to more easily maintain contact with individuals, and providing those leaving prison with smart phones that can access digital services.

Conclusion

- 52.** Clinks will continue to work to support and advocate on behalf of the voluntary sector working in criminal justice. In recognition that things are moving at significant pace, we would be pleased to provide the committee with additional information on an ongoing basis.



CLINKS

Clinks supports, represents and advocates for the voluntary sector in criminal justice, enabling it to provide the best possible opportunities for individuals and their families.

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End Notes

1. The Reducing Reoffending Third Sector Advisory Group is a voluntary sector advisory group to the government that exists with the purpose of building a strong and effective partnership between voluntary organisations and the Ministry of Justice. The group is made up of 16 senior experts from the voluntary sector that represent different specialisms and meet quarterly with civil servants to provide guidance and feedback on MoJ policy developments. Clinks provides the chair and secretariat for the group. As of part of its terms of reference, the group can set up special interest groups to provide advice on specific areas of policy and practice as the need arises.
2. The response rate to our fourth survey fell to 77 therefore, unless specified otherwise, the data presented in this response is taken from our third survey as the most recent representative sample. Our next survey will be launching in July and we would be pleased to provide the Committee with updated findings.
3. Clinks (2019) *State of the sector 2019*. Available at: <https://www.clinks.org/publication/state-sector-2019> [accessed 24 June 2020].
4. *ibid*
5. *ibid*
6. Ministry of Justice and Her Majesty's Prison and Probation Service (2020) *COVID-19: National Framework for Prison Regimes and Services*. Available at: <https://www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services> [accessed 23 June 2020].
7. Her Majesty's Prison and Probation Service and the National Probation Service (2020) Probation Roadmap to Recovery. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892498/probation-roadmap-to-recovery.pdf [accessed 23 June 2020].
8. Clinks (2018) *The good prison: Why voluntary sector coordination is essential*. Available at: <https://www.clinks.org/publication/good-prison> [accessed 13 May 2020].
9. We found that organisations are using their reserves to sustain themselves through this period, with 40% saying this is the case. Our annual state of the sector research shows that specialist criminal justice organisations have a far lower level of reserves on average compared to the wider UK voluntary sector - just 1.4 months compared to 6.3. For organisations in our sector with such little reserves the impact of this crisis on income could be particularly devastating. Clinks (2019) *State of the Sector 2019*. Available at: <https://www.clinks.org/publication/state-sector-2019> [accessed 23 June 2020].
10. We are distributing this grant as part of the activities under the grant we receive for the provision of infrastructure support for small and medium sized voluntary organisations. HMPPS has provided £300k for this grants programme. Clinks is able to retain up to £25k to administer the programme from that total. We are hoping not to have to do that and if successful we will grant the full £300k to the sector.
11. HM Chief Inspector of Prisons (2020) *Long-term and high security prisons*. Available at: <https://www.justiceinspectors.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/06/Long-term-and-high-security-web-SSV-2020.pdf> [accessed 24 June 2020].
12. Clinks is part of the MEAM coalition, along with other national charities Homeless Link and Mind. The coalition works closely with Collective Voice, which represents the substance misuse sector. Together, we represent over 1,300 frontline organisations working in criminal justice, drug and alcohol treatment, homelessness and mental health. Working together, we support 35 local areas across England to develop an effective, coordinated approach to multiple needs that can increase wellbeing, reduce costs to public services and improve people's lives.
13. MEAM (2020) *Flexible responses during the Coronavirus crisis: Rapid evidence gathering*. Available at: <http://meam.org.uk/wp-content/uploads/2020/06/MEAM-Covid-REG-report.pdf> [accessed 22 June 2020].
14. The MEAM Approach helps local areas design and deliver better coordinated services for people experiencing multiple disadvantage. It's currently being used by partnerships of statutory and voluntary agencies in 31 local areas across England. For more information see [here](#).
15. Figures released in response to a written question from Lyn Brown MP. Available [here](#).
16. Clinks (2019) *State of the sector 2019*. Available at: <https://www.clinks.org/publication/state-sector-2019> [accessed 24 June 2020].
17. Department for Digital, Culture, Media and Sport and the Office for Civil Society (2018) *Civil Society Strategy: building a future that works for everyone*. Available at: <https://www.gov.uk/government/publications/civil-society-strategy-building-a-future-that-works-for-everyone> [accessed 24 June 2020].
18. Clinks (2018) *Under represented, Under pressure, Under resourced*. Available at: https://www.clinks.org/sites/default/files/2018-10/clinks_track-tr_under_final-web.pdf [accessed 24 June 2020].
19. Clinks (2019) *State of the sector 2019*. Available at: <https://www.clinks.org/publication/state-sector-2019> [accessed 24 June 2020].
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21. Ministry of Housing, Communities and Local Government (2018) *The Rough Sleeping Strategy*. Available at: <https://www.gov.uk/government/publications/the-rough-sleeping-strategy> [accessed 24 June 2020].
22. Prison Reform Trust (2019) *Bromley Briefings Prison Factfile: Winter 2019*. Available at: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Winter%202019%20Factfile%20web.pdf> [accessed 26 June 2020]